

MINUTES

for the public meeting of the
San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy
"Rivers and Mountains Conservancy" (RMC)
held on
Thursday, June 19, 2003 at 11:00 a.m.
at the following location:

**Santa Fe Springs Town Center Hall
11740 Telegraph Road
Santa Fe Springs, CA 90670**

Chair Colonna called the meeting to order at 11:12 am.

Deputy Attorney General Terry Fujimoto administered the Oath of Office to three new Board Members: Mr. Stan Chen representing the San Gabriel Valley Watermaster, Mayor Cristina Madrid representing the San Gabriel Valley Council of Governments appointed by Senate Pro Tem, and Mr. Marty Moreno, representing Mr. Jim Noyes, Director of Los Angeles County Department of Public Works.

1. Roll Call

Members Present: Mr. Dan Arrighi, Ms. Heather Barnett (for Secretary Nichols), Mr. Stan Chen (for Mr. Stetson), Ms. Margaret Clark, Chair Frank Colonna, Mr. Clem Lagrosa (for Mr. Blackwell), Ms. Kathie Matsuyama (for Ms. Wilson), Ms. Cristina Madrid, Mr. Marty Moreno (for Mr. Noyes), Vice Chair Bev Perry, Mr. Rick Ruiz, Ms. Debbie Smith (for Mr. Hickox), Mr. Dan Young (for Colonel Thompson)

Members Absent: Mr. David De Jesus, Mr. Fred Klass (for Mr. Peace), Ms. Gloria Molina (for Mr. Wright), Dr. Paul Yost

Staff Present: Belinda Faustinos, Executive Officer
Enrique Arroyo, Deputy Executive Officer
Terry Fujimoto, Deputy Attorney General
Frank Simpson, Project Analyst
Cathie Chavez, Project Analyst
Matt Kaiser, Information Systems Technician

2. Public Comment

Joan Greenwood, San Pedro Bay Estuary Project – Ms. Greenwood stated that she was present to distribute information about the San Pedro Bay Estuary Project, River Link and Bay Link Programs. She extended thanks to the City of Long Beach for giving the San Pedro Estuary Project its first contract.

3. Approval of April 17, 2003 Minutes

Ms. Faustinos noted there was a correction to the minutes on page nine of the Board packet, removing “and the City of Industry” from the section titled “Report from closed session”.

Vice Chair Perry moved to approve the minutes as corrected. Mr. Ruiz seconded the motion. The approval passed unanimously, except for one abstention from Ms. Madrid, as she was not present at the previous meeting.

4. Chair’s Report

Chair Colonna had no report to give.

5. Deputy Attorney General’s Report

Deputy Attorney General Terry Fujimoto informed the Board that the RMC had been served with a lawsuit by the City of Industry the previous day. The lawsuit is a verified petition for writ of mandate to compel compliance with the California Public Records Act filed by Stephen R. Onstot. Since the lawsuit had been filed after the agenda had been posted, and since an answer was due within thirty days, and the Board might not meet again in the next thirty days, the Board needed to have a special meeting to instruct staff regarding the issue. Mr. Fujimoto stated that under Government Code 11125.4(b), there needed to be a vote by at least 2/3 of the Board to hold the special meeting. Mr. Fujimoto suggested the issue could be discussed in closed session at the same time as the other closed item.

Ms. Madrid motioned to hold a special meeting, and Vice Chair Perry seconded the motion. Unanimously passed.

6. Presentation of Rio Salado and related projects by the Army Corps of Engineers

Mike Turnak, US Army Corps of Engineers, gave a presentation of the projects taking place in and around Phoenix, Arizona to the Board.

7. Legislation and Initiatives Report

Chair Colonna stated that this was a receive and file item. **Vice Chair Perry moved to accept file, and Mr. Arrighi seconded the motion, which unanimously passed.** Ms. Faustinos noted that Senator Boxer’s bill regarding the San Gabriel River Study had passed both the House and the Senate, and was on the President’s desk for signature.

8. Budget Expenditure Report

Mr. Ruiz inquired what the Conservancy’s strategy was if the State of California did not have a budget as of the first of July. Ms. Faustinos replied that a number of vendors would continue to accept the Conservancy’s credit, but she was uncertain what would be done if a budget took a long time and vendors stopped taking orders. Some office supplies might be scarce, but the RMC still plans to operate.

Vice Chair Perry asked what would happen to the support funds that were not spent or encumbered at the end of the fiscal year. Ms. Faustinos replied that while General Fund appropriations are lost if unexpended, the Conservancy does not have a general fund appropriation. The Proposition 40 funds which were being used for administration would continue to be available to RMC’s for future appropriation.

9. Consent Items:

Chair Colonna entertained a motion to pass all three consent items. Vice Chair Perry stated that she wanted to discuss 9(c) more thoroughly before voting on it. Chair Colonna entertained a motion to pass items 9(a) and (b). Vice Chair Perry moved to adopt 9(a) and 9(b), and Mr. Arrighi seconded the motion. Michele Vadon, Attorney for the City of Industry, stated that she had requested to speak on item 9(a)

9(b) Consideration of resolution authorizing amendments to the Cooperative Agreement regarding the San Gabriel River Education Center at Whittier Narrows Regional Park

Vice Chair Perry changed her motion to accept 9(b), and Dan Arrighi seconded the motion. The motion passed unanimously.

9 (a) Consideration of resolution authorizing adoption of Public Records Act Policy

Public Comment on 9(a):

Ms. Vadon made her public comment regarding item 9(a). Ms. Vadon stated that the City of Industry served the RMC staff with a public records request which had not been responded to in a lawful manner. Ms. Vadon suggested to the Board that it send the proposed Public Records Act Policy back to staff for revision to make it compliant with the law. Ms. Vadon said it appeared that the RMC was under the false impression that it did not have to respond to Public Records requests. Ms. Vadon also stated that item 3 allows for consultation with other agencies, having a substantial interest in RMC's determination of the request or about two or more components of RMC having substantial subject matter – clearly violates public records act. While the RMC can discuss a public records request with other agencies, ultimately, it still needs to produce the documents, even if another agency does not like the request. Ms. Vadon also pointed out that the resolution read “to begin to facilitate implementation of the California Public Records Act.” Ms. Vadon called this a clear violation of the law, as the RMC should already be following the Public Records Act from the date it was formed.

Ms. Madrid asked if would be appropriate to strike “to begin” from the third “WHEREAS” of the resolution. Mr. Fujimoto thought the change in wording would be appropriate, as the RMC has always been governed by the Public Records Act.

Ms. Clark stated that the RMC should have been providing public records all along, and requested more information regarding the policy and what happened. **Ms. Clark moved to send the item back to staff. Motion failed for lack of a second.** Chair Colonna responded that the resolution wasn't a formal adoption of the Public Records Act, but rather how to deliver upon a request. Chair Colonna pointed out the RMC was already obligated to comply with Public Records requests, and asked Mr. Fujimoto to clarify the need for the resolution. Mr. Fujimoto responded that there while there was no necessity for the guidelines from a legal standpoint, they do provide assistance to staff to help process requests when they do come in. Mr. Fujimoto told the Board they could discuss the guidelines further if it wished, but that the guidelines were consistent with the Public Records Act.

Vice Chair Perry asked Mr. Fujimoto to comment as to whether or not the guidelines were indeed legal, in light of Ms. Vadon's points. Mr. Fujimoto stated the guidelines were in accordance with the Public Records Act, in his opinion, and had no reservations about Ms. Faustinos presenting the resolution to the Board. Mr. Fujimoto also stated that the litigation by the City of Industry was a separate issue, and should be discussed in closed session.

Mr. Ruiz asked if these guidelines were taken from existing state guidelines. Mr. Arroyo stated the language of the guidelines was taken from the State of California's Department of Parks and Recreation's guidelines. Ms. Faustinos added that the subject matter of the lawsuit would not have any impact on the drafting of the guidelines.

Ms. Madrid moved to adopt the resolution, and changing the third "WHEREAS" to read:

WHEREAS, the purpose of the RMC Public Records Access Guidelines is to facilitate implementation of the California Public Records Act.

Vice Chair Perry seconded the motion. The motion was passed with one no vote (Ms. Clark).

- 9 (c) Consideration of resolution authorizing a grant to the Mountains Recreation and Conservation Authority for services related to the implementation of Proposition 40 projects**

Vice Chair Perry moved to adopt the resolution, and Mr. Arrighi seconded the motion. The motion was unanimously passed.

10. Consideration and discussion of Proposition 40 grant applications and project evaluation process

Public Comment:

Ms. Vadon stated that based upon the City of Industry's research, it appeared that certain Board members whose cities had applied for grants would be creating a conflict of interest if they influenced the approval of the awards to those cities.

Vice Chair Perry asked Mr. Fujimoto to comment on Ms. Vadon's statement. Mr. Fujimoto stated he did not believe there was any conflict of interest, unless the individual Board member stood to gain financially, and that to his knowledge, no Board members stood to gain from the approvals. He also stated that he had not been asked to look into this matter previous to the meeting, and as he was unable to properly research the matter, this was an informal opinion. He also stated that he would instruct Board members who had concerns to recuse themselves when the grant application of their city came up in an abundance of caution. Chair Colonna added that Board members had to file conflict of interest forms with the Fair Political Practices Commission in order to be on the Board.

Ms. Faustinos described the Proposition 40 awards as a historic moment for the Rivers and Mountains Conservancy. She stated that the over \$100 million in applications came in from one hundred applicants. Staff selected the projects using the criteria adopted by the Board. The selection process, while difficult, was supportable. Ms. Faustinos also stated that staff wanted to create a workprogram out of the remaining projects, and work with the cities to develop fundable projects in the future. Ms. Faustinos also pointed out that certain high scoring projects

are recommended for priority FY 03/04 funding if they are not approved for Proposition 12 funds from the Resources Agency.

Vice Chair Perry stated that while she did not believe she had a conflict of interest, since both the City of Industry and the City of Brea proposed a project for Tonner Canyon, and she did not want to put the Conservancy as risk of another lawsuit, that she would not be discussing or voting on item 11(a).

Chair Colonna asked Ms. Faustinos if they would still have a quorum if Vice Chair Perry left. Ms. Faustinos responded they would, unless another one of the other Board members left.

Vice Chair Perry left the room.

11. Consideration of resolutions authorizing Proposition 40 grants to:

- a. City of Brea for acquisition of Tonner Canyon**
- b. City of Claremont for completion of Claremont Hills Wilderness Trail Loop**
- c. City of Long Beach for Wrigley Heights acquisition**
- d. City of Monrovia for Hillside Wilderness Preserve**
- e. City of Pasadena for Washington Park Master Plan Implementation**

For the benefit of the Board members who were unable to attend the field trips, Ms. Faustinos gave a brief presentation about the item 11 projects, summarizing each, and describing their location.

Chair Colonna entertained a motion to adopt items 11(b), (c), (d), and (e). **Ms. Clark moved to adopt the resolutions for those items, and Mr. Arrighi seconded the motion. Unanimously passed.**

Chair Colonna stated they would move on to item 11(a). **Mr. Ruiz moved to adopt the resolution, and Mr. Arrighi seconded the motion.**

Chair Colonna asked if there was any public comment regarding this item. Ms. Vadon stated she wished to speak, and inquired if the item had just been passed. Chair Colonna said it had not, and he needed a motion before he could open the item to discussion.

Public Comment:

Ms. Vadon stated that the City of Industry had not been treated fairly by the RMC staff in this process. She went on to say that Industry had been left out of the process completely, when it seemed that the City of Brea had been facilitated at every point with regard to their application for Tonner Canyon. She stated that It would appear that Industry's application had been rejected due to Brea's conflict with the City of Diamond Bar over construction of a Tonner Canyon bypass road, and also to serve the aims of WCCA, upon whose Board Vice Chair Perry sits, in an attempt to undo Industry's acquisition of the Boy Scout Property. Ms. Vadon also stated that the RMC's chief contractor, the MRCA, also gave WCCA \$50,000 to fund its appeal against the City of Industry. Ms. Vadon stated that pursuing WCCA's political agenda would put the public safety, fire safety in particular, of thousands of children at risk. Industry's application was for purchasing 527 acres of the Levinson Property, of which the City would provide 50% matching funds. Ms. Vadon stated that Industry thought the property cost \$15 million, as the RMC staff gave them that figure. She said there must have been a change in the figure, because Brea's application put the cost at \$3.1 million, making it a more attractive project. She

said Industry would be willing to pay 50% of the value, whatever the appraised value, and as Industry already has the money in hand, the City should have the advantage. Ms. Vadon went on to say that Industry was now willing to offer up to 75% of the appraised value, and possibly more if the RMC has to produce more than \$1 million for their project, thereby saving the Conservancy more Prop 40 dollars for other projects. Ms. Vadon stated that Industry had never been contacted by the RMC Board in regard to its application, while it was obvious from Brea's application that it had working closely with RMC staff. Ms. Vadon pointed out a mile-long road that goes through the Levinson Property, from Route 57 to the Boy Scout Property, and said it provides emergency access to the property. If the City of Brea is allowed to purchase this 24 acre property at the entrance of the Boy Scout Property, the road will become blocked. She stated that the project had nothing to do with open space, but only to block the Tonner bypass road. Ms. Vadon also stated that the Levinsons said there was no imminent sale, so there was no reason to rush on the matter. Ms. Vadon urged the RMC to take the item off the agenda at this time, and allow the City of Industry to work with the Conservancy's staff to put together an application with the same courtesies that had been extended to the City of Brea. If the RMC chose to fund Brea's project, she asked the Board to at least make sure that the public road would continue to exist, administered through the County of Orange, and Industry would reimburse the County of Orange any funds needed to maintain the road.

Ms. Faustinos explained to the Board stated that the staff, in reviewing both Industry and Brea's applications, used the same considerations and criteria as for all the other applications. Evaluations were made strictly upon the information provided to the staff in the applications, and weighed that information against the project evaluation criteria. She stated out that Industry received a total of 46 points for its application, while Brea received 59.

Ms. Clark stated that in light of these new factors, she needed more information, and made a substitute motion to postpone the item. The motion failed for lack of a second.

Charles View, Development Services Director, City of Brea, asked if he could be given an opportunity to respond. Chair Colonna responded that he could. Mr. View said the City of Brea took safety very seriously. and had already agreed to keep the access to the Boy Scout Property open, as stated in their application. There is nothing to indicate that the access would close. He also thanked the Board for this opportunity, and that the project would protect vital open space and habitat, and described it a "jewel in a highly urbanized area." A recent press release reported on a survey which showed strong support for open space in this area, and that Brea was the logical choice to shepard this project.

Ms. Madrid said that Ms. Vadon had mentioned the WCCA several times, and asked her to explain who that was. Ms. Vadon replied she wasn't certain, but she thought it was for "Wildlife Conservation Conservancy Authority." Ms. Madrid asked what the purpose of the Boy Scout property was. Ms. Vadon said it was for open space. Ms. Madrid asked if it was within with the City of Industry. Ms. Vadon replied that was not, but it was contiguous to other properties owned by Industry. Ms. Madrid inquired what county it was in. Ms. Vadon deferred to Industry's City Engineer, John Ballas. Mr. Ballas replied that it was primarily in unincorporated Los Angeles County, with a portion in unincorporated Orange County. Mr. Ballas also stated that if Brea also planned to offer a public road through Tonner Canyon, then Industry would be appeased.

Ms. Madrid asked if the Boy Scout Property had permanent conservation easements over it. Mr. Ballas said it did not, but that it currently has campsites on it, and the purchase of the property allows the continued camping. Ms. Madrid expressed doubts about Industry's

guarantees to keep the Boy Scout Property as open space, and stated that in her experience, Industry was not known for conserving open space. Ms. Vadon stated that in Industry's application for the Levinson property, the property would be maintained as open space, and they would be more than happy to turn it over to a public agency if that was a concern.

Chair Colonna stated he believed the RMC should move the item forward, and that any legal dispute should be resolved outside the jurisdiction of the Conservancy, and said the integrity of the application was sound.

Ms. Faustinos stated that the property was located within the City of Brea's sphere of influence. Mr. View affirmed this, also stating that Brea had the legal jurisdiction to annex the property.

Ms. Clark left the meeting, and the quorum was lost. **Mr. Ruiz's motion failed for lack of a quorum.** Chair Colonna stated the item 11(a) would have to be agendaized for the next Board meeting.

Vice Chair Perry rejoined the Board, restoring quorum, and asked Mr. Fujimoto for a written response before the next meeting as to whether or not she should recuse herself regarding Tonner Canyon. Mr. Fujimoto responded that he would do so.

Chair Colonna pointed out that this was the first time the Conservancy had to deal with an item of this nature, and suggested a session, closed or otherwise, might be added to the next agenda to discuss conflict of interest issues. Mr. Fujimoto said that would be fine, and he would provide a conflict of interest memo to the entire board.

- 12. Consideration of resolution authorizing Proposition 40 small grants to:**
- a. City of Azusa for Azusa River Park Master Plan**
 - b. City of Brea for Olinda Historic Trail**
 - c. City of Long Beach for El Dorado Regional Park Wetlands Feasibility Study**
 - d. City of San Gabriel for Vincent Lugo Park Renovation**
 - e. City of Santa Fe Springs for Master Plan and Nature Sanctuary Feasibility Study**
 - f. City of Signal Hill for Cha'Wot Nature Preserve**
 - g. County of Los Angeles for Economic Value for Watershed Management Techniques**
 - h. County of Orange for Coyote and Carbon Creek Watershed Management Plan**
 - i. Friends of the Sierra Club for Peck Park and Rio Hondo Connection Plan**
 - j. North East Trees for San Jose Creek Greenway Improvements**
 - k. Rancho Los Cerritos Foundation for Rancho Los Cerritos Historic Landscape Restoration**
 - l. Rancho Santa Ana Botanic Garden for Children's Native Plant Garden**
 - m. San Gabriel Mountains Regional Conservancy for Think River Program**
 - n. Regents of University of California for Watershed Education in Multi-Lingual Communities**

Ms. Madrid moved to adopt the resolutions for items 12(a) through 12 (n). Vice Chair Perry seconded the motion.

Sally Havice, former Assembly Member 56th District – Ms. Havice referred to editorial from Whittier Daily News that appeared in the June 15 edition, and stated that she hoped the RMC would keep its projects within its boundaries.

The motion passed unanimously.

13. **Consideration of resolutions authorizing the Executive Officer to enter into discussions with the following applicants to finalize funding recommendations:**
- a. **City of Diamond Bar for the Sycamore Park Trail Development Project**
 - b. **City of El Monte for the Rio Vista Park Restoration and Conservation Project**
 - c. **City of Fullerton for Laguna Lake Park**
 - d. **City of Glendora for Gordon-Mull Acquisition**
 - e. **City of La Puente for Puente Creek Nature Education Center**
 - f. **City of La Mirada for Creek Park**
 - g. **City of Lynwood for Lynwood Meadows**
 - h. **City of Palmdale for Tejon Park Expansion and Una Lake**
 - i. **City of Pico Rivera for Mines Avenue Bike Lane Improvement Project**
 - j. **City of West Covina for Galster Park Project**
 - k. **County of Los Angeles for San Jose Creek and San Gabriel River Bike Trail**
 - l. **County of Los Angeles for Zone 1 Ditch Channel Enhancement Project**
 - m. **County of Los Angeles for Dominguez Gap Wetlands Multiuse Project**
 - n. **California Native Habitat Endowment Fund for Habitat Authority Community Outreach and Education Programs**
 - o. **Rancho Los Alamitos Foundation for Rancho Los Alamitos Native Garden Restoration Project at Historic Ranch and Gardens**

Ms. Faustinos stated that these projects had merit, but there were issues that needed to be discussed with applicants, and asked if the Board had any questions regarding the projects.

Ms. Madrid inquired if the Palmdale project was within the RMC jurisdiction. Ms. Faustinos replied that it was.

Mr. Colonna asked when the staff would be able to finalize funding recommendations for these items. Ms. Faustinos replied that staff would work diligently to have as many recommendations as possible finalized by the next Board meeting, depending on the Boards' direction on individual items. Ms. Faustinos addressed item 13(a), where the City of Diamond Bar had adopted a resolution in opposition to the RMC's Open Space Plan, and Conservancy staff found this to be of concern. RMC staff would like to at least see Diamond Bar rescind its opposition, and hopefully get them to endorse the plan.

Mr. Ruiz stated that it seemed to him that if a City had not adopted the Conservancy's Open Space Plan, its project wouldn't be eligible for funding. Ms. Faustinos replied that the Board had discussed it when creating the guidelines, and the guidelines stated that the project had to be consistent with the Open Space Plan, but it wasn't required that the submitting City had adopted the plan. Mr. Ruiz asked if the Board could make this a requirement for the next Proposition 40 funding cycle. Ms. Faustinos responded that this was the Board's discretion.

Ms. Matsuyama voiced support for the Diamond Bar project, saying that she had visited the site and was very impressed.

Vice Chair Perry motioned to adopt items 13(a) through 13(o), and Mr. Ruiz seconded the motion, which was unanimously passed.

14. Consideration of resolution authorizing application for Prop 13 funds from the Resources Agency for the River Tidal Lands Park Project, City of Long Beach

Ms. Faustinos stated that staff recommended the RMC apply for the grant on behalf of the City of Long Beach, with the added stipulation that the current conceptual plan include more natural types of landscaping be used.

Mr. Ruiz asked where in Long Beach the project was located. Ms. Faustinos deferred to Dennis Eschen, City of Long Beach, who described the project's physical location. Chair Colonna described the area as greatly urbanized and economically challenged, which would benefit greatly from the project.

Chair Colonna motioned to adopt the resolution, and Vice Chair Perry seconded the motion. The motion passed unanimously.

15. Discussion and possible action concerning property negotiations with Trust for Public Land and the Watershed Conservation Authority regarding acquisition of the Woodland Duck Farm property, Assessor's Parcel Numbers: 8110-029-003, -004, -005, -006, -007, -008; 8115-001-002; 8815-002-001, -002, -003, -004, -005, -006, -007; 8564-012-001- 8110-001-023, -024, -026; 8110-021-030, -031, -032, -033; 8110-017-001 [this item may be heard in closed session pursuant to Section 1126 (c) (7) (A) of the Government Code].

Ms. Faustinos suggested the RMC and the Watershed Conservation Authority (WCA) hold their closed sessions jointly, but the WCA did not have a quorum at the time. Chair Colonna suggested the RMC take a break until full compliment of both RMC and WCA boards could be obtained. The Board took a brief break.

When the Board reconvened, Chair Colonna stated the RMC was reconvening, but the WCA was not convening.

Ms. Faustinos recommended hearing public comment on the items before the RMC Board went into closed session. The Chair asked if any members of the public wished to comment on Item 15.

Public Comment:

Ms. Vadon, City of Industry. stated she did not understand why the RMC was going into closed session regarding this item, when the RMC was transferring the authority for the transaction to the WCA, and was therefore no longer a party to the transaction. Ms. Vadon expressed concern regarding the terms of transaction not being disclosed to the public. Ms. Vadon stated that if the RMC spent more than \$1 million, then it would be paying more than the fair market value, based upon three different appraisals which the City of Industry had. Ms. Vadon stated that if a public agency paid more than the fair market of value, it would be violating the California Constitution.

Mr. Stephen Onstot, City of Industry, told the RMC Board he would tell them how to get rid of the lawsuit in about three minutes. Mr. Onstot stated that he was a CEQA lawyer, and the City

of Industry had hired him to look into the RMC and WCA's CEQA compliance in acquiring the Woodland Duck Farm property. Mr. Onstot stated he was entering into the record a report provided to him by WCA staff titled "San Gabriel Confluence Park: a river based urban nature network," dated June 2002. Mr. Onstot stated that he had been told that it would be about thirty days before the RMC would be able to produce all the documents requested in Industry's public records request, he was inclined to believe that the Board did not have all the needed materials at hand in order to make an informed decision. He suggested that the Board request a Phase I environmental assessment on the property. Mr. Onstot stated that this acquisition depended on a proposed CEQA exemption, which was inappropriate as the proposed project had potential for significantly impacting the environment. Mr. Onstot stated that according to the San Gabriel Confluence Park report, that there are plans for the property that would affect the physical nature of it. Mr. Onstot cited an opinion written by Susan Durbin, Deputy Attorney General, which stated that if there was a remote possibility of physical change to a piece of property, it is illegal to rely upon a CEQA exemption. Mr. Onstot added that he did not know what CEQA exemption the Board was relying upon, as it was not mentioned in the resolution. Mr. Onstot urged the Board to postpone the action until CEQA compliance was obtained.

Ms. Madrid asked Mr. Onstot how to resolve the lawsuit. Mr. Onstot stated that if the action item regarding the Duck Farm was deferred, and if the City of Industry was allowed to view the documents requested in its public records request before the RMC takes action on the item, the lawsuit becomes moot.

Ms. Madrid requested that closed session be deferred to consider items 16 through 18.

16. Board Member Comments

No Board members offered any comments.

17. Discussion of future agenda items

No discussion took place.

18. Announcement of next meeting date

The Board agreed to meet again on August 1, 2003.

19. Closed Session: Pursuant to Government Code Sections 11126 (a) (1), 1126 (c) (7) (A), 11126 (e) (1) and 11126.3 (a) the Board may hold a closed session at any time during the meeting to discuss and take possible action on personnel matters, receive advice of counsel on pending or potential litigation, and/or give instructions to negotiators regarding Item VII (3) (F). Memoranda related to these issues may be considered during such closed session discussions.

Mr. Fujimoto stated the Conservancy would be conducting closed session regarding item 15 as well as the Industry lawsuit.

After the closed session, Chair Colonna reconvened the meeting. Mr. Fujimoto stated that in closed session, the Board gave instruction to staff regarding the special meeting item of the City of Industry lawsuit. Mr. Fujimoto stated that in regard to item 15, instructions had been given by the Board, and a vote would take place.

Mr. Ruiz moved to adopt the staff recommendation discussed in closed session, Mr. Arrighi seconded the motion. Unanimously passed.

20. Adjournment

Chair Colonna adjourned the meeting at 2:11 pm.